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8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 **In re:** **Case No. 10-44744 RLE**

11 **SOLOMON EARL WINDHAM and**
LAURA ANN WINDHAM,

12 **Debtors.**

Chapter 13

**AMENDED MOTION TO MODIFY CHAPTER
13 PLAN; NOTICE TO CREDITORS OF
DEADLINE TO REQUEST A HEARING**

14 The above-named debtors apply to the court for an order to modify
15 their Chapter 13 Plan as follows:

16 Commencing June 2011, debtors will pay \$800.00 per month to the
17 Trustee. Any plan arrearages shall be forgiven. Unsecured, non-priority
18 creditors shall be paid on a pro-tanto basis.

19 Debtors shall surrender the real property located at 901 Rotherham
20 Drive, Antioch, CA 94509 to BAC Home Loans Servicing and the Contra Costa
21 Treasurer Tax Collector.

22 The modification is sought on the following grounds:
23 Mr. Windham's income has decreased. Debtors can no longer afford their
24 mortgage payments.

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26 **NOTICE IS HEREBY GIVEN:**

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(i) That Local Rule 9014-1 of the United States Bankruptcy Court for the Northern District of California prescribes the procedures to be followed and that any objection to the requested relief, or a request for hearing on the matter must be filed and served upon the undersigned within twenty one (21) days of mailing of this notice;

(ii) That a request for hearing or objection must be accompanied by any declarations or memoranda of law the party objecting or requesting wishes to present in support of its position;

(iii) That if there is not a timely objection to the requested relief or a request for hearing, the Court may enter an order granting the relief by default; and

(iv) That the undersigned will give at least seven (7) days written notice of hearing to the objecting or requesting party, and to any trustee or committee appointed in the case, in the event an objection or request for hearing is timely made.

Dated: June 23, 2011

/s/ Patrick L. Forte
PATRICK L. FORTE
Attorney for Debtors